

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JOHNNY LEE DUWE,

Plaintiff, : Case No. 3:25-cv-099

- vs -

District Judge Thomas M. Rose
Magistrate Judge Michael R. Merz

THE HONORABLE MARY E. MONTGOMERY
In her official capacity as Judge of the Montgomery
County, Ohio, Court of Common Pleas, et al.,

Defendants. :

**REPORT AND RECOMMENDATIONS ON EMERGENCY MOTION
FOR PRELIMINARY INJUNCTION**

This case is before the Court on Plaintiff's Emergency Motion for a Preliminary Injunction (ECF No. 3).

On the basis of the reasoning set forth in the Magistrate Judge's Report and Recommendations of May 28, 2025 (ECF No. 22), Plaintiff's Motion for Preliminary Injunction must be denied on the authority of *Younger v. Harris*, 401 U.S. 37 (1971).

May 29, 2025.

s/ *Michael R. Merz*
United States Magistrate Judge

NOTICE REGARDING OBJECTIONS

Pursuant to Fed. R. Civ. P. 72(b), any party may serve and file specific, written objections to the proposed findings and recommendations within fourteen days after being served with this Report and Recommendations. Because this document is being served by mail, three days are added under Fed.R.Civ.P. 6, but service is complete when the document is mailed, not when it is received. Such objections shall specify the portions of the Report objected to and shall be accompanied by a memorandum of law in support of the objections. A party may respond to another party's objections within fourteen days after being served with a copy thereof. Failure to make objections in accordance with this procedure may forfeit rights on appeal. #